

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTELLECTUAL VENTURES I LLC,

Plaintiff,

v.

SYMANTEC CORPORATION,

Defendant.

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Case No. 10-cv-1067-LPS

JURY TRIAL DEMANDED

FINAL JUDGMENT FOLLOWING JURY TRIAL

This action came before the Court for trial by jury beginning January 26, 2015, before a duly impaneled and sworn jury. The issues have been tried and the jury rendered a verdict on February 6, 2015. The verdict was accompanied by the verdict form (D.I. 676), the redacted version of which is attached to this Judgment (D.I. 677). Said verdict form (D.I. 676) was signed by the foreperson and all jurors as a unanimous verdict, and the verdict was accepted by the Court and filed by the Clerk.

On February 20, 2015, Intellectual Ventures I LLC (“Intellectual Ventures”) moved for entry of judgment and for prejudgment and post-judgment interest, seeking interest on the jury’s damages award. (D.I. 688) By Opinion and Order dated April 22, 2015, however, the Court granted in part Symantec’s motion under Rule 52(c) (D.I. 698), finding ineligible under 35 U.S.C. § 101 the asserted claims of U.S. Patent Nos. 6,460,050 (“the ’050 Patent”) and 6,973,142 (“the ’142 Patent”) and finding eligible claim 7 of U.S. Patent No. 5,987,610 (“the ’610 Patent”). (D.I. 726, 727)

On June 8, 2015, the Court entered a Non-Final Judgment on infringement and invalidity and set a schedule for resolving post-trial motions related to claim 7 of the '610 Patent. (D.I. 741) That judgment also ordered and adjudged that Count IV of the Complaint for infringement of U.S. Patent No. 7,506,155 be dismissed with prejudice consistent with the parties' stipulation. *Id.* On June 17, 2015, the Court certified its § 101 rulings as final and immediately appealable under Fed. R. Civ. P. 54(b). (D.I. 745)

Symantec moved for judgment as a matter of law on non-infringement, invalidity, and damages with respect to claim 7 of the '610 Patent. (D.I. 752) By Opinion and Order dated March 10, 2016, the Court denied Symantec's motion. (D.I. 764)

Therefore, pursuant to Rule 58 of the Federal Rules of Civil Procedure,

IT IS HEREBY ORDERED AND ADJUDGED that Final Judgment be and is hereby entered in favor of Plaintiff Intellectual Ventures and against Defendant Symantec, on Count I of the Complaint, that Symantec infringes claim 7 of the '610 patent, with damages in the amount of \$8,000,000, and that that claim was not proved invalid by Symantec under 35 U.S.C. § 102 or 103. Any execution on this judgment shall be stayed pursuant to Rule 62(d) without security until resolution of all appeals.

IT IS FURTHER ORDERED AND ADJUDGED that, consistent with the Court's Rule 54(b) ruling (D.I. 745), Final Judgment was entered in favor of Defendant Symantec, and against Plaintiff Intellectual Ventures, on Counts II and III of the Complaint, and that claims 9, 16, and 22 of the '050 patent, and claims 1, 7, 21, and 22 of the '142 patent, were held invalid under 35 U.S.C. § 101, and that claim 7 of the '610 Patent was not proved invalid under § 101 by Symantec.

IT IS FURTHER ORDERED AND ADJUDGED that the Court will address the issues of interest and costs following the resolution of all appeals.

IT IS SO ORDERED AND ADJUDGED.

March 24, 2016.



UNITED STATES DISTRICT JUDGE